FOR MYSORE STATE

10-50.

PUBLIC WORKS (1953.) Department.

R. SERIES.

G.O. NO. R-147.

Dated 29TH JANUARY 1953.

Mig closed.

Sanctd.

[Despatch Abstract.]

LAND ACQUISITION - South Kanara - Udipi Taluk - No.108 - Kalathur Village - S.Nos.11/1 (Part), 11/2 (part) and 11/11 (part) - Improvements to Moodabettu tank - Notifications under Section 4(1) and 6 of Land Acquisition Act with urgency clause - Publication - Ordered.

Revenue Department

Subject

LAND ACQUISITION - (South Kanara) Udipi Taluk-No. 108 - Kalathur village-S.Nos. 11/1 (Part) 11/2 (Part and 11/11 Part) - Improvements to Moodabettu tank. Acquisition- Draft notification under Section 4(i) of the Land Acquisition Act- with urgency clause and Draft Declaration - Submitted.

Ref.I. 7888/52-1

Madras. Dated the 28th October 1952.

From

Sri C.S.Krishnamoorthi, I.A.S., Joint Secretary, Board of Revenue, Madras.

Sri S.A.Venkataraman, I.C.S., Commissioner of Land Revenue, Madras.

Read:- From the Collector of South Kanara R.Dis. 33263/51 dt. 12-9-52.
Endt. of the Govt.R.W.Dept.No. 780178/52-1 dt. 25.9.52.

Reference:

The Collector has reported that the improvements to the tank have to be done urgently and that the acquisition is therefore a fit case for applying the provisions of Sec. 17 of the Land Acquisition Act. He has however, submitted only the Draft 4(1) notification with the urgency clause. As possession can be taken urgently only if the Draft Declaration is published with the urgency clause, the Collector is requested to submit the Draft Declaration also with the urgency clause.

For Joint Secretary.

To the Collector of South Kanara.

Copy to the Secretary to Government, Rural Welfare Department.

Irm. 28/x.

R.O. 70482 W1/52-1

30-10-52

P.W.D.(S2)

5/5.12

3

Memo.No. 78017 8/52-2 dt. 4.12.52

Sub: L.A.-(S.Kamaraj)-Indiki Taluk-No 108- Kalathur village-S.Nos 11/1 (Part) 11/2 (Part and 11/11 Part) - Improvements to Moodalaththu tank-D.N. under Sec 4(1) of the L.A. Act with urgency clause and D.D. - Submission of.

Ref 1) G/WE Endt. No. 78017B 8/52-1 dt 25.9.52

ii) From the Bdof Rev, Ref. I. 7888/52-1 dt. 26.52 addressed to the collector of S. Kamaraj, copy sent to G/WE

tank is original.

P/C

The attention of the Bdof Rev is invited to the references cited, and it is requested to expedite the submission of its report.

To the Bdof Rev. Chepauk. Madras.

N.S/8/12/52.

4.12.52

4

P.W.D (S2)

Memo No. 78017 S/52.3 dt 31.12.52

Sub: L.A. (S. Kanara) - Udupi taluk. Kalathur village - S. Nos. 11/1 part, 11/2 part. 11/11 part. - Improvements to Mandabetta tank - Acquisition. Draft notification under Sec 4(1) and 6 of L.A. Act with urgency clause

Ref: This Dept Memo No. 78017 S/52-2 dated 4.12.52 : bank

The Board of Rev. is requested to state when the report referred to in this memo. cited may be expected

30.12.52

28/12/52

Is the Bd of Rev Reply 5/1

5

5

REVENUE DEPARTMENT.
Subject.

LAND ACQUISITION -(South Kanara) Udipi taluk - No.108 - Kalathur Village - S.Nos.11/1 (Part) 11/2 (Part and 11/11 (Part) Improvements to Moodabettu tank - Acquisition. - Draft notification under section 4 (i) of the L.A.Act- with urgency clause and D.D. submitted

Station: Madras. Ref.I.7888/52 Dated 31--12--1952.

Sri C.S. Krishnamurthy, I.A.S., Joint Secretary.

Read: From Collector, South Kanara, R.Dis.33263/51 D/12-9-52.
From the Collector, South Kanara, L.Dis.27061/52 D/4-11-52.
From Govt. P.W.Dept. Memo No.78017-5/52-2 dated 4-12-52.

ASSISTANT SECRETARY TO GOVERNMENT
1389
6 - JAN 1953
REFERENCE
PUBLIC WORKS DEPARTMENT

Submitted to the Government.

2. The Board recommends that the draft notification and the draft declaration under sections 4 (1) and 6 with the urgency clause under section 17 (1) of the land Acquisition Act submitted by the Collector of South Kanara may be approved and ordered to be published in successive issues of the Fort St. George Gazette, the 4 (1) notification being published earlier.

Trudam 2153
for Joint Secretary.

To The Secretary to Government,
Public Works Department, with enclosures.

sp/2/1/53.
2/1/53

FORM 2

Form of notification to be issued under section 4 of the land Acquisition Act I of 1894 as amended by Act XXXVIII of 1923.

****

WHEREAS it appears to ~~His Excellency~~ the Governor of Madras that the land specified in the schedule below and situated in the 108 Kalthur village Udipi taluk South Kanara district is needed for a public purpose to wit for improvements to Mudabettu tank, notice to that effect is hereby given to all whom it may concern in accordance with the provisions of section 4(1) of the Land Acquisition Act I of 1894 as amended by the Land Acquisition Amendment Act XXXVIII of 1923 and ~~His Excellency~~ the Governor of Madras hereby authorizes the Revenue Divisional Officer, Coondapur his staff and workmen to exercise the powers conferred by section 4(2) of the Act.

OFFICE OF THE 9 3-OCT 1952 7888 MADRAS

Under sub-section (4) of section 17 of the Act His Excellency the Governor of Madras directs that inview of the urgency of the case the provisions of section 5A of the Act shall not apply to the acquisition of the waste or arable lands specified in the schedule.

SCHEDULE

****

DISTRICT: SOUTH KANARA.

Taluk: ~~South Kanara.~~ Udipi

Village: 108 Kalthur.

Description of land ~~paimash Number.~~ Wet or dry Inam of Poramboke with survey or paimash number:

1.S.No.11/1 (part) Ryotwari Wet III measuring 0.02 acre, belonging to Janab Sheik Hussein Saheb (Registered holder) Sri Ananda Salins (Chalgeni tenant)

2.S.No.11/2 (part) Ryotwari Wet I measuring 0.02 acre, belonging to Janab Sheik Hussein Saheb (Registered holder) Sri Ananda Salins (Chalgeni tenant)

3.S.No.11/11(Part) Ryotwari Dry measuring 0.17 acres belonging to Janab Sheik Hussein Saheb (Registered holder) Sri Ananda Salins (Chalgeni tenant)

S.K.Collector's Office,
Mangalore dated 12.9.1952.
mn.13.9.

For Collector.

5

9

NOTIFICATION.

Under Section 6 of the Land Acquisition Act ~~His Excellency~~ the Governor of Madras ~~he~~ hereby declares that the land specified below and measuring acre 0-21 be the same a little more or less, is needed for public purpose, to wit, for improvements to the Muda-bettu tank and under sections 3 and 7 of the same Act, the Revenue Divisional Officer, Coondapur is appointed to perform the functions of a Collector under the Act and directed to take order for the ~~e~~ acquisition of the said land. Under sub-section (1) of Section ~~1~~ 17 of the Act ~~His Excellency~~ the Governor of Madras further directs that the possession of the said land may be taken on the expiry of 15 days from the date of the publication of the notice mentioned in section 9(1) of the Act. A plan of the land is kept in the office of the Revenue Divisional Officer, Coondapur ~~ma~~ and may be inspected at any time during office hours.

SCHEDULE.

District.	Taluk	Village	Description of land wet or dry, inam or poramboke, with Survey or Paimash number.	Name of owner or occupier.	Extent to be taken up
1	2	3	4	5	6
South Kanara.	Udipi	108 Kalthur.	S.No. 11/1 (part)- Ryotwari - patta land Wet III.	Janab Sheik Hussain Saheb (Regd.Holder) Sri.Ananda Salins (Chalgeni Tenant)	0-02 acres
			S.No.11/2 (Part) - Ryotwari Patta land Wet I.	-do-	0-02 acres
			S.No.11/11 (Part) - Ryotwari - Patta land - Dry.	Janab Sheik Hussein Saheb (Regd.Holder) Sri.Ananda Salins (Chalgeni tenant.	0-17 Acres.

For Collector.

South Kanara Collector's Office,
Mangalore, dated 12- 9- 1952.

kvr-13-9-1952.

R.Dis 33263/51

S.K.Collector's office,
Mangalore dated 12-9-195

From

Sri C.A.Ramakrishnan, I.C.S.,
Collector of South Kanara,
Mangalore.

To

The Secretary to the Government,
P.W.D.Fort St.George, Madras.9
(In duplicate).

Sir,

SUB: LAND ACQUISITION(South Kanara)Udipi Taluk- No. 108. Kalathur village. S.Nos 11/1 (Part) 11/2 (Part and 11/11 (Part)Improvements to Moodabettu tank-Acquisition. Draft notification under section 4(i) of the L.A.Act- with urgency clause and D.D. submitted.

****

Portions of S.Nos. 11/1, 2 and 11/11 of No. 108 of Kalthur village, Udipi Taluk have been sought to be acquired by the Executive Engineer(P.W.D.)South Kanara division for the purpose of improving the Moodabettu tank.

2/- The total extent of the plots is 0-21 cents. The owner of the plot and the interested parties, have no objection to the proposed objection, and their statements have been obtained to that effect.

3/- The plots proposed to be acquired do not contain any buildings, tombs or grave yards on them. Under chapter V para 6 in part III of the L.A.,Manual, at page 85, the urgency provisions of the Act can be applied only to waste or arable lands. S.Nos 11/1and 2 stand registered in the revenue accounts as wet III and Wet I respectively while S.No 11/11 is registered as "Dry".

4/- The Land Acquisition Officer, reports that the improvements to the tank have to be done urgently for the purpose of irrigation. In view of the fact that the owner and the interested parties have given their written ~~statements for the~~ consents for the acquisition of the plots and that the plots, also do not contain any permanent structures, or religious edifices. I am of opinion, that there is a fit case, in which the provisions of Sec 17 of the L.A.can be applied ~~for~~

5/- The cost of acquition works out to Rs. 172-8-0 and provision has been made in the budget by the Executive Engineer I submit herewith in duplicate a draft sec. 4(1) notification with urgency clause and also a draft declaration under section 6 of the L.A.Act, which may please be approved by the Government and got published in the Fort.St.George Gazette

6/- The records of enquiry are enclosed with which may be returned to me, when no longer required.

Yours faithfully

For Collector.

Copy to the Revenue Divisional Officer Coondapur (with enclosures)
Copy to the Executive Engineer (P.W.D)S.K.Division Mangalore.
mv 13-9-

Enclosure to Confidential
Collector's R. Dis 33263-57
d. 12. 9. 52

To,
The Secretary to the Govt
P. W. D: ~~Fort St: George~~
Madras 9

L.Dis.27061/52

S.K.Collector's Office,
Mangalore dated 4.11.1952

From

Sri C. A. Ramakrishnan I.C.S.,
Collector of South Kanara.

To

The Secretary to the
Board of Revenue, Land
Revenue, Chepauk,
M a d r a s 5.

Sir,

SUB: Land Acquisition (South Kanara) Udipi taluk - No.108 Kalthur village - S.Nos.11/1:2 and 11(parts) Improvements to Moodabettu tank - acquisition draft declaration with urgency clause - Non receipt - report.

****

REF: Board's Ref.I.7888-52-1 dated 28.10.52.

****

From the records of my office R.Dis.No.33263/51 dated 12.9.52 it is seen that the draft declaration with urgency clause was submitted along with the notification under section 4(1) of the L.A.Act with urgency clause. I am however enclosing a copy of the draft declaration in duplicate.

Yours faithfully,

For Collector. 8/11

6/11 mn.6.11.

NOTIFICATION (Duplicate of 33/15 9 Parts)

Under section 6 of the Land Acquisition act ~~His Excellency~~ the Governor of Madras hereby declares that the land specified ~~below~~ below and measuring acres 0.21 be the same a little more or less, is needed for a public purpose, to wit, for improvements to the Mudabettu tank and under sections 3 and 7 of the same act, the Revenue Divisional Officer, Coondapur is appointed to perform the functions of a Collector under the act and directed to take order for the acquisition of the said land. Under sub section (1) of section 17 of the act ~~His Excellency~~ the Governor of Madras further directs that the possession of the said land may be taken on the expiry of 15 days from the date of the publication of the notice mentioned in section 9(1) of the act. A plan of the land is kept in the office of the Revenue Divisional Officer, Coondapur and may be inspected at any time during office hours.

SCHEDULE.

District.	Taluk.	Village.	Description of land wet or dry inam or poramboke, with Survey or Paimash number.	Name of owner or occupier.	Extent to be taken up.
South Kanara.	Udipi.	108 Kalthur.	S.No.11/1 (part) Ryotwari Patta land wet III.	Janab Sheik Hussain Saheb (Regd. holder) Sri Annanda Salins (Chalgeni tenant)	0.02 acre
			S.No.11/2 (part) Ryotwari patta land Wet I.	-do-	0.02 acre.
			S.No.11/11 (part) Ryotwari patta land-dry.	-do-	0.17 acre.

S.Kanara Collector's office)
Mangalore dated 12.9.52.)
8.11.52.

For Collector. 8/11

NOTIFICATION (duplicate plans)

Under section 6 of the Land Acquisition act ~~His Excellency~~ the Governor of Madras hereby declares that the land specified ~~below~~ below and measuring acres 0.21 be the same a little more or less, is needed for a public purpose, to wit, for improvements to the Mudabettu tank and under sections 3 and 7 of the same act, the Revenue Divisional Officer, Coondapur is appointed to perform the functions of a Collector under the act and directed to take order for the acquisition of the said land. Under sub section (1) of section 17 of the act ~~His Excellency~~ the Governor of Madras further directs that the possession of the said land may be taken on the expiry of 15 days from the date of the publication of the notice mentioned in section 9(1) of the act. A plan of the land is kept in the office of the Revenue Divisional Officer, Coondapur and may be inspected at any time during office hours.

SCHEDULE.

District.	Taluk.	Village.	Description of land wet or dry inam or poramboke, with Survey or Palmash number.	Name of owner or occupier.	Extent to be taken up.
South Kanara.	Udipi.	108 Kalthur.	S.No.11/1 (part) Ryotwari Patta land wet III.	Janab Sheik Hussain Saheb (Regd. holder) Sri Annanda Salins (Chalgeni tenant)	0.02 acre
			S.No.11/2 (part) Ryotwari patta land Wet I.	-do-	0.02 acre
			S.No.11/11 (part) Ryotwari patta land-dry.	-do-	0.17 acre.

S.Kanara Collector's office)
Mangalore dated 12.9.52.)
8.11.52.

For Collector.
8/11

Public Works Department

Memorandum No.78017-S/52-2 d/4th December 1952.

Sub: Land Acquisition (South Kanara) - Udipi Taluk - No.108 - Kalathur village - S.Nos.11/1 (Part) 11/2 (Part and 11/11 Part) Improvements to Moodabettu tank - D.N. under Section 4 (1) of the Land Acquisition Act with urgency clause and Draft Declaration - Submission of.

Ref:- i) Government Endorsement No.780178-S/52-1 d/25-9-52.
ii) From the Board of Revenue Ref.I.7888/52-1 d/28-10-52 addressed to the Collector of South Kanara, copy sent to Government.

The attention of the Board of Revenue is invited to the references cited, and it is requested to expedite the submission of its report.

D.Amalorpavanathan,
Assistant Secretary to Government.

To the Board of Revenue, Chepauk, Madras.

Forwarded/By order

Superintendent.

s.5-12.

[C.No. 78017. S/52.] P.W.D. (62)

Rev. Sectt. 22—6,206—9-1-40.

GOVERNMENT OF MADRAS.

Received _____ 194 . *Registered* _____ 194

Abstract.

L.A - S. Kamara - Udupi Taluk - No. 108 - Kalathur village - S. Nos. 11/1 (Part), 11/2 (Part) and 11/11 (Part) - Improvements to Mandalattur tank - Notifications under Sec 4(1) and 6 of L.A. Act with urgency clause - Publication - ordered.

120/29/1

SECRETARIAT, MADRAS, SECRETARY TO GOVERNMENT 17 JAN 1953 L4950 PUBLIC DEPARTMENT

Public Works DEPARTMENT.

G.O. No. R. 147 dated the 29-1-1953.

Read again:

i) From The collector S. Kanara, Rc. No. R. Dis 33263/51. dt 12.9.52.

ii) From The Board, Rev. No. I 7868/52 dt 31-12-52.

Read also:

ORDER.

The draft notification under Section 4 (1) and the draft declaration under Section 6 of the Land Acquisition Act submitted by the Board of Revenue with its Reference read above are approved and are forwarded to the Superintendent, Government Press, for publication. The notification should be published in English in the *Fort Saint George Gazette* and the declaration should be published in English in the *Fort Saint George Gazette* and in English and in _____ in the _____ District Gazette. The Superintendent, Government Press, is requested to see that the notification and the declaration are published in successive issues (not in the same issue) of the *Fort Saint George Gazette*, the notification under Section 4 (1) being published earlier.

2. The Government accept the view that the acquisition is an urgent one and under Section 17 (4) of the Land Acquisition Act direct that the provisions of Section 5-A of the Act shall not apply to this case.

(By order of the Governor in Council - Of Madras. Government, Ministry of)

for 30/1/53 *Secretary to Government.*

To the Superintendent, Government Press, with a notification and a declaration in
" diglott, for publication (with pp 13-15 4 in engl)
" Board of Revenue, Land Revenue and Settlement.
" Collector of S. Kanara (with pp 17-30 4 in engl)
" Revenue Divisional Officer, Coondapoor
" Agent, _____ Railway.
" Special Revenue Officer, Cauvery-Mettur Project.
" Engineer-in-chief, Cauvery-Mettur Project.
" Chief Engineer. (I)
" Commissioner of Labour.
" District Labour Officer, 3/11 District.

Note: Rev may see for acceptance, The draft under above has been issued.

Forwarded. 30/1/53

(By order).

2 ✓

4950C/53

Rev Dept

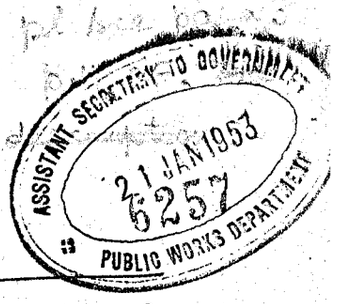
20 A.S

The draft order on plants may be accepted and the file returned to P.W.D

20/1/53

20/1/53

PWD



Rev vo No
4950C/53-1
20.1.53

PWD (Sy)

The notes of Rev deptt. above may be perused. The draft order on plants may now issue.

MB/22.1.53

22/1/53

24.1.53

(Issued as G.O. R. no. 147 Rev. dt 29.1.53)